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Attorneys for the United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

CHOON FOO YONG,

Debtor.

CITIBANK, N.A.,

Garnishee.

Case No. 2:24MC00131 KJM AC

**STIPULATION RE: WRIT OF
CONTINUING GARNISHMENT;
[PROPOSED] FINAL GARNISHMENT ORDER**

Criminal Case No. 2:22CR00053 KJM

The United States of America and debtor Choon Foo Young and debtor's spouse, Doris Oilin Yong (collectively, the Parties) hereby stipulate to the final resolution of this continuing garnishment action as follows:

RECITALS

1. On March 24, 2024, the United States filed an Application for Writ of Continuing Garnishment of property located at garnishee Citibank, N.A., in which Choon Foo Yong has an interest. ECF No. 1. The United States seeks to garnish \$1,095,635.55 to satisfy Choon Foo Yong's outstanding restitution balance. *Id.*

2. Garnishee filed an answer in this action (ECF No. 8), and Choon Foo Yong and his spouse have a checking account number ***3253 with a balance of \$18,885.05 and a savings plus account number ***1246 with a balance of \$29,474.65.

3. The Yongs acknowledge and understand that the Federal Debt Collection Procedures Act (“FDCPA”) affords them certain rights in a garnishment action. They waive these rights, including service of the writ of garnishment pursuant to 28 U.S.C. § 3205(c)(3); notice of and the right to claim exemptions and request a hearing as provided in 28 U.S.C. §§ 3202 and 3205(c)(5); and to any other process to which they may be entitled under the FDCPA.

4. On April 15, 2024, the United States filed an Application for Writ of Continuing Garnishment of property located at garnishee Nationwide Financial, in which Choon Foo Yong has an interest. *United States v. Yong*, Case No. 2:24MC00163 KJM-AC, ECF No. 1. The parties have reached an agreement to resolve that garnishment action whereby garnishee, Nationwide Financial, will turn over \$966,557.90 to the Clerk of the Court, to be applied to Choon Foo Yong’s restitution debt. After application of the \$966,557.90, the outstanding restitution balance will be \$29,474.65.

5. The Parties have agreed to resolve this garnishment action as set forth below.

STIPULATION

The Parties hereby stipulate and agree as follows:

A. The Parties consent to entry of an order approving this Stipulation by a United States Magistrate Judge;

B. The Court should enter a final garnishment order directing garnishee Citibank, N.A., to turn over funds in the amount of \$29,474.65 held in savings plus account #1246 and releasing all other funds in the Citibank accounts within 7 days of entry of the final garnishment order.

Respectfully submitted,

PHILLIP A. TALBERT
United States Attorney

Date: _____

By: _____
ERIC CHANG
Assistant United States Attorney

1 Dated: _____ By: _____
2 CHOON FOO YONG
Debtor
3 Dated: _____ By: _____
4 DORIS OILIN YONG
Debtor's Spouse
5 Dated: _____ By: _____
6 THOMAS A. JOHNSON
Counsel for Choon Foo Yong
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11 **FINAL GARNISHMENT ORDER**

12 The Court, having reviewed its files and the Parties' Stipulation re Garnishment (the Stipulation),
13 and good cause appearing therefrom,

14 IT IS HEREBY ORDERED that:

15 A. The Stipulation is APPROVED and the parties' request for a final garnishment order is
16 GRANTED;

17 B. The Court should enter a final garnishment order directing garnishee Citibank, N.A., to
18 turn over funds in the amount of \$29,474.65 held in savings plus account #1246 and releasing all other
19 funds in the Citibank accounts within 7 days of entry of the final garnishment order. Payment shall be
20 made in the form of a check, money order, or company draft, made payable to the "Clerk of the Court,"
21 and delivered to:

22
23 Office of the Clerk
501 I Street, Room 4-200
24 Sacramento, CA 95814

25 The criminal docket number (2:22CR00053 KJM) shall be stated on the payment instrument;


26 C. Upon verification of receipt of the funds by the Clerk of the Court, the United States will
27 move to terminate this writ;

28 D. Each party shall bear their own costs; and

1 E. The Court shall retain jurisdiction to resolve matters through ancillary proceedings in the
2 case, if necessary.

3 IT IS SO ORDERED.
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5 Dated: April 30, 2024

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7 ALLISON CLAIRE
8 UNITED STATES MAGISTRATE JUDGE
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